

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

Eastern Division

PENNYMAC LOAN SERVICES, LLC,

Plaintiff,

CIVIL ACTION
Case No: 2:19-cv-00193-KS-MTP

-VS-

SITCOMM ARBITRATION
ASSOCIATION, MARK MOFFETT,
SANDRA GOULETTE, RONNIE
KAHAPEA, MARK JOHNSON, KIRK
GIBBS, and ALARIC SCOTT,

**APPLICATION TO CLERK
FOR ENTRY OF DEFAULT
RE: MARK MOFFETT AND
SUPPORTING AFFIDAVIT**

Defendants.

**APPLICATION TO CLERK FOR ENTRY OF DEFAULT
RE: MARK MOFFETT AND SUPPORTING AFFIDAVIT**

The Clerk is requested to enter default against defendant Mark Moffett (“Defendant”) in the above entitled action for failure to otherwise defend this matter as set forth in the affidavit attached hereto as Exhibit “1”.

Dated: January 31, 2020

Respectfully submitted,

/s/Cheryl S. Chang
Cheryl S. Chang (admitted *pro hac vice*)
Nicole Bartz Metral (admitted *pro hac vice*)
Jessica A. McElroy (admitted *pro hac vice*)

BLANK ROME LLP
2029 Century Park East, 6th Floor

Los Angeles, California 90067-2907
Telephone: 424.239.3400
Facsimile: 424.239.3434

Harris F. Powers III
Steven C. Cookston

Upshaw, Williams, Biggers & Beckham,
LLP
309 Fulton Street
Post Office Drawer 8230
Greenwood, MS 38935-8230
Telephone No.: 662-455-1613

Counsel for Plaintiff

Exhibit 1

AFFIDAVIT OF CHERYL S. CHANG

STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

Cheryl S. Chang (“Chang”) being fully sworn, deposed, and says:

1. That she is one of the attorneys of record for plaintiff PennyMac Loan Services, LLC (“PennyMac”) and has personal knowledge of the facts set forth in this Affidavit.

2. That defendant Mark Moffett (“Defendant”) was duly served with a Summons and Complaint on January 3, 2020, according to the Summons and Proof of Service attached hereto and incorporated herein as Exhibit A.

3. That more than 21 days have elapsed since the date of service of process.

4. That Defendant has failed to answer or file some other appropriate pleading with the United States District Court for the Southern District of Mississippi, Eastern Division, in response to PennyMac’s Complaint, or serve a copy of any answer or other defense which it might have upon the undersigned attorney of record for PennyMac.

5. That this Affidavit is executed by affiant herein in accordance with Rule 55(a) of the Federal Rules of Civil Procedure, for the purpose of enabling PennyMac to obtain an entry of default against Defendant for failure to answer or otherwise defend as to PennyMac’s Complaint.

Executed this 31st day of January, 2020, at Los Angeles, California.

/s/ Cheryl S. Chang

Cheryl S. Chang

Exhibit A

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF MISSISSIPPI (EASTERN DIVISION)

PENNYMAC LOAN SERVICES, LLC

Plaintiff(s)

v.

SITCOMM ARBITRATION ASSOCIATION, MARK
MOFFETT, SANDRA GOULETTE, RONNIE
KAHAPEA, MARK JOHNSON, KIRK GIBBS, and
ALARIC SCOTT

Defendant(s)

Civil Action No. 2:19-CV-00193-KS-MTP

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

MARK MOFFETT
3007 Crescent Hill Drive
Laurel, MS 39440

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Harris F. Powers III (Bar No. 100331)
Upshaw, Williams, Biggers & Beckham, LLP
309 Fulton Street, P.O. Drawer 8230,
Greenwood, MS 38935-8230

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: _____



ARTHUR JOHNSTON
CLERK OF COURT

Signature of Clerk or Deputy Clerk

UNITED STATES DISTRICT COURT
for the
SOUTHERN DISTRICT OF MISSISSIPPI (EASTERN DIVISION)

PENNYMAC LOAN SERVICES, LLC

Plaintiff(s)

v.

SITCOMM ARBITRATION ASSOCIATION, MARK
MOFFETT, SANDRA GOULETTE, RONNIE
KAHAPEA, MARK JOHNSON, KIRK GIBBS, and
ALARIC SCOTT

Defendant(s)

Civil Action No. 2:19-CV-00193-KS-MTP

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

MARK MOFFETT
3007 Crescent Hill Drive
Laurel, MS 39440

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Harris F. Powers III (Bar No. 100331)
Upshaw, Williams, Biggers & Beckham, LLP
309 Fulton Street, P.O. Drawer 8230,
Greenwood, MS 38935-8230

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ARTHUR JOHNSTON
CLERK OF COURT



Signature of Clerk or Deputy Clerk

Date: DEC 17 2019

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:19-CV-00193-KS-MTP

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* MARK MOFFETT was received by me on *(date)* Dec 19,
2019.

- ☒ I personally served the summons on the individual at *(place)* 685 Coon Jefcoat Rd, Soso, MS 39480 on *(date)* Fri, Jan 03 2020 ; or
- ☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, on *(date)* _____, and mailed a copy to the individual's last known address; or
- ☐ I served the summons on *(name of individual)* _____, who is designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____; or
- ☐ I returned the summons unexecuted because: _____; or
- ☐ Other: _____; or

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$
\$96.75 (see attached).

I declare under penalty of perjury that this information is true.

Date: 1/3/2020



Server's signature

Terry Keith

Printed name and title

Quantum Process, LLC 418 Pittman Rd., Ellisville, MS 39437
(601)800-2004

Server's address

Quantum Process, LLC
418 Pittman Rd.
Ellisville, MS 39437

INVOICE: 4100932
Issued: Dec 18, 2019

Upshaw, Williams, Biggers & Beckham, LLP
Kallye Hudgens
PO DRAWER 8230
GREENWOOD, MS 38935

PAY TO:
Quantum Process, LLC
418 Pittman Rd.
Ellisville, MS 39437

PAID

Case: 2:19-CV-00193-KS-MTP	Plaintiff / Petitioner: PennyMac Loan Services, LLC
Job: 4100932	Defendant / Respondent: Sitcomm Arbitration Association, Mark Moffett, Sandra Goulette, Ronnie Kahapea, Mark Johnson, Kirk Gibbs, and Alaric Scott
	Recipient: MARK MOFFETT

Item	Description	Cost	Quantity	Total
Routine Service Mississippi		\$85.00	1	\$85.00
Printing Fee		\$0.25	47	\$11.75

Payment	Description	Amount Paid
Dec 23, 2019	Ck 71651	(\$96.75)

Federal Tax ID 64-0912968

Total: \$96.75

Amount Paid: (\$96.75)

Thanks for your business! If payment has been made please disregard.

Balance Due: \$0.00

Payment is requested at this time This is for cash flow purposes.

To ensure there is no delay in getting your papers out for service, please make payment by either scanning and mailing a check to Quantum Process, LLC 418 Pittman Rd., Ellisville, MS 39437 or following the prompts to pay by credit card by using the active link below in blue.

Quantum Process, LLC • 418 Pittman Rd., Ellisville, MS 39437

Call: (601)800-2004 • Fax: (877)852-9532 • Email: keith@quantumprocess.com • Visit: www.quantumprocess.com

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the county of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is **BLANK ROME LLP**, 2029 Century Park East, 6th Floor, Los Angeles, California 90067.

On **January 31, 2020**, I served the foregoing document(s):

APPLICATION TO CLERK FOR ENTRY OF DEFAULT RE: MARK MOFFETT AND SUPPORTING AFFIDAVIT

on the interested parties in this action addressed and sent as follows:

SEE ATTACHED SERVICE LIST

- ☒ **BY ENVELOPE:** by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelope(s) addressed as indicated and delivering such envelope(s):
- ☒ **BY MAIL:** I caused such envelope(s) to be deposited in the mail at Los Angeles, California with postage thereon fully prepaid to the office or home of the addressee(s) as indicated. I am “readily familiar” with this firm’s practice of collection and processing documents for mailing. It is deposited with the U.S. Postal Service on that same day, with postage fully prepaid, in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after the date of deposit for mailing in affidavit.
- ☒ **FEDERAL:** I declare that I am employed in the office of a member of the bar of this court at whose direction service was made.

Executed on **January 31, 2020**, at Los Angeles, California.

/s/ Hannah No

Hannah No

SERVICE LIST

Pennymac Loan Services, LLC v. Sitcomm Arbitration Association, et al.;

Case No. 2:19-cv-00193-KS-MTP

Sitcomm Arbitration Association c/o Wyoming Registered Agent 1621 Central Ave Cheyenne, WY 82001 USA	Defendant
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Ronnie Kahapea 11-2808 Kaleponi Drive Volcano, HI 96785	Defendant
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Mark Johnson 451 May Lane Louisa, VA 23093	Defendant
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Kirk Gibbs 4041 Liberty Hill Drive Norcross, GA 30093	Defendant
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Alaric Scott 304 S. Jones Blvd., Ste. 1967 Las Vegas, NV 89107	Defendant
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Sandra Goulette 3007 Crescent Hill Drive Laurel, MS 39440	Defendant
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Mark Moffett 3007 Crescent Hill Drive Laurel, MS 39440	Defendant
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